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Title 49 —Transportation

Subtitle B —Other Regulations Relating to Transportation

Chapter V —National Highway Traffic Safety Administration, Department of Transportation

Part 556 —Exemption for Inconsequential Defect or Noncompliance

Authority: Sec. 157, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegation of authority at 49 CFR 1.50.

Source: 42 FR 7145, Feb. 7, 1977, unless otherwise noted.

§ 556.4 Petition for exemption.

- (a) A manufacturer who has determined the existence, in a motor vehicle or item of replacement equipment that he produces, of a defect related to motor vehicle safety or a noncompliance with an applicable Federal motor vehicle safety standard, or who has received notice of an initial determination by the NHTSA of the existence of a defect related to motor vehicle safety or a noncompliance, may petition for exemption from the Act's notification and remedy requirements on the grounds that the defect or noncompliance is inconsequential as it relates to motor vehicle safety.
- (b) Each petition submitted under this part shall—
 - (1) Be written in the English language;
 - (2) Be submitted in three copies to: Administrator, National Highway Traffic Safety Administration, Washington, DC 20590;
 - (3) State the full name and address of the applicant, the nature of its organization (e.g., individual, partnership, or corporation) and the name of the State or country under the laws of which it is organized.
 - (4) Describe the motor vehicle or item of replacement equipment, including the number involved and the period of production, and the defect or noncompliance concerning which an exemption is sought; and
 - (5) Set forth all data, views, and arguments of the petitioner supporting his petition.
 - (6) Be accompanied by three copies of the report the manufacturer has submitted, or is submitting, to NHTSA in accordance with part 573 of this chapter, relating to its determination of the existence of safety related defect or noncompliance with an applicable safety standard that is the subject of the petition.
- (c) In the case of defects related to motor vehicle safety or noncompliances determined to exist by a manufacturer, petitions under this part must be submitted not later than 30 days after such determination. In the case of defects related to motor vehicle safety or noncompliances initially determined to exist by the NHTSA, petitions must be submitted not later than 30 days after notification of the determination has been received by the manufacturer. Such a petition will not constitute a concession by the manufacturer of, nor will it be considered relevant to, the existence of a defect related to motor vehicle safety or a nonconformity.

[42 FR 7145, Feb. 7, 1977, as amended at 56 FR 66376, Dec. 23, 1991]